



## Board of Adjustment Case Report

City of Raleigh  
Department of City Planning  
One Exchange Plaza  
Raleigh, NC 27601  
(919) 996-2626  
[www.raleighnc.gov](http://www.raleighnc.gov)

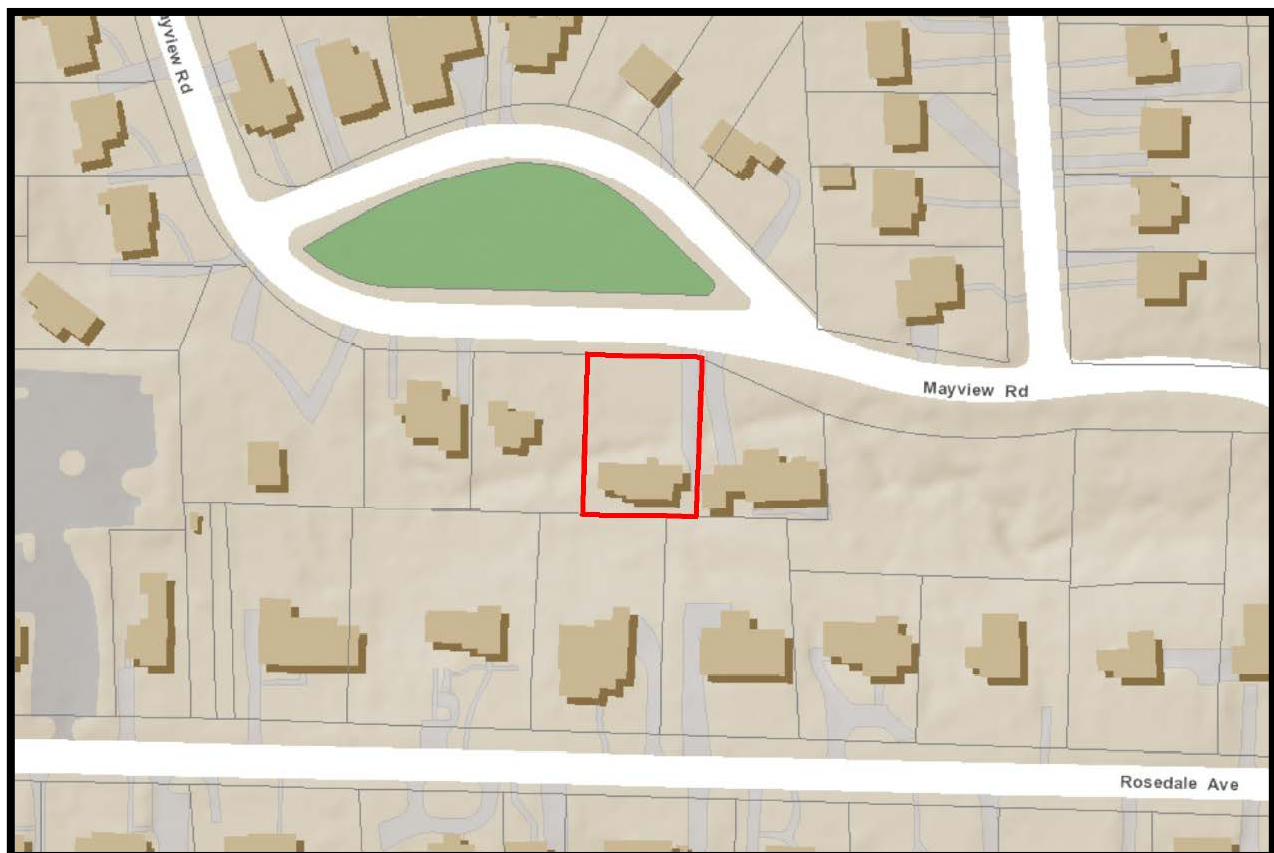
**Case File:** A-79-16

**Property Address:** 2703 Mayview Road

**Property Owner:** Steve Petersen and Michelle Frazier

**Project Contact:** Steve Petersen

**Nature of Case:** A request for an 11.5' rear yard setback variance pursuant to Section 2.2.1 of the Part 10A Unified Development Ordinance to legalize the existing detached house and expand it to the side in line with the existing rear building wall that results in an 8.5' rear yard setback on a .26 acre property zoned Residential-6 and Special Residential Parking Overlay District and located at 2703 North Mayview Road.



**2703 Mayview Road Street – Location Map**

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**To BOA:** 7-11-16

**Staff Coordinator:** Eric S. Hodge, AICP

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**ZONING**

**DISTRICTS:** Residential-6 and Special Residential Parking Overlay District



**2703 Mayview Road – Zoning Map**

**VARIANCE STANDARDS:** In accordance with UDO [§10.2.10 Variance](#), before a variance request is granted, the Board of Adjustment shall show all of the following:

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions

that are common to the neighborhood or the general public, may not be the basis for granting a variance.

3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured and substantial justice is achieved.

**Setback Standards:** The subject property is zoned Residential-6

<b><u>Yard Type</u></b>	<b><u>Minimum Setback</u></b>
Front Yard	10'
Side Street	10'
Side	5'
Sum of Side Setbacks	15'
Rear	20'

# Application for Variance

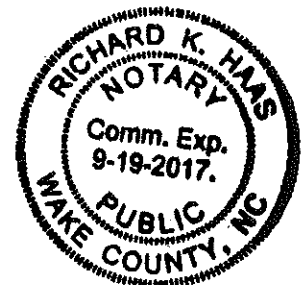


Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

Submit application to: Development Services Customer Service Center, 1 Exchange Plaza, Suite 400, Raleigh, NC 27601

NATURE OF REQUEST	OFFICE USE ONLY
<p>Nature of variance request (if more space is needed, submit addendum on separate sheet):</p> <p>See attached. Application for a rear yard setback variance under Section 2.2.1.8 (B5)</p>	<p>Transaction Number</p> <p>A-79-16</p>
<p>Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences. If this property was the subject of a previous variance request, provide the case number.</p> <p>Presubmittal Conference w/ Eric Hodge on 5/31/16</p>	

GENERAL INFORMATION		
Property Address	2703 North Mayview Road	Date 6/9/16
Property PIN	0794758200	Current Zoning R-6
Nearest Intersection	Maryjane and Canterbury	Property size (in acres) 0.26
Property Owners	Steve Petersen and Michelle Frazier	Phone 919 612 7527 Fax
Owner's Mailing Address	2713 Bedford Ave Raleigh, NC 27607	Email Steve.petersen@smithmoorelaw.com
Project Contact Person	Steve Petersen	Phone Fax
Contact Person's Mailing Address	2713 Bedford Ave Raleigh, NC 27607	Email
Property Owner Signature	Michelle Frazier	Email Frazier@manningfulton.com
Notary	<p>Sworn and subscribed before me this 9th day of June, 2016</p> <p>Richard K. Haas</p>	



# Application for Variance



RALEIGH  
DEPARTMENT OF  
CITY PLANNING



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

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Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences. If this property was the subject of a previous variance request, provide the case number. Resubmittal Conference w/ Eric Hodge on 5/31/16	

GENERAL INFORMATION			
Property Address 2703 North Maywood Road		Date 6/9/16	
Property PIN 0794758200		Current Zoning R-6	
Nearest Intersection Maywood and Canterbury		Property size (in acres) 0.26	
Property Owners Steve Petersen and Michelle Frazier		Phone 919 612 7527 Fax	
Owner's Mailing Address 2713 Bedford Ave Raleigh, NC 27607		Email Steve.Petersen@SmithMooreLaw.com	
Project Contact Person Steve Petersen		Phone Fax	
Contact Person's Mailing Address 2713 Bedford Ave Raleigh, NC 27607		Email	
Property Owner Signature Stephen W. Petersen		Email Steve.Petersen@SmithMooreLaw.com	
Notary Sworn and subscribed before me this 9th day of June, 2016		Notary Signature and Seal  Richard K. Haas	

## VARIANCE APPLICATION

**Property Address:** 2703 North Mayview Road  
Raleigh, NC 27607

**Property Owners:** Stephen W. Petersen  
919 612-7527  
[steve.petersen@smithmoorelaw.com](mailto:steve.petersen@smithmoorelaw.com)

Michelle L. Frazier  
919 389-2228  
[frazier@manningfulton.com](mailto:frazier@manningfulton.com)

**Property Contact:** Steve Petersen  
919 612-7527  
[steve.petersen@smithmoorelaw.com](mailto:steve.petersen@smithmoorelaw.com)

### Nature of the Case:

This Application seeks a rear yard setback variance from the standards set forth in Section 2.2.1.B(B5) of Part 10 A Unified Development Ordinance to legalize the existing detached house and to allow for an addition that would extend along the existing rear wall of the current house, but that would not create a side yard variance situation. If approved, the request would result in an 8.5' rear yard setback for a detached house on a 0.257 acre property zoned R-6.

**Zoning District Standards:** The subject property is zoned Residential -6

<u>Yard Type</u>	<u>Minimum Setback</u>
Primary Street	10'
Side Street	10'
Side	5'
Sum of Sides	15'
Rear	20'

### Variance Standards:

In accordance with UDO §10.2.10 Variance, before a variance request is granted, the Board of Adjustment shall show all of the following:



1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.

*Applicant Response:* The exiting home was built on the rear portion of the lot in 1947 prior to the implementation of setback rules. Applicants wish to add a bathroom and closet to the existing dwelling. Rather than tear down the existing dwelling and rebuild a newer home, applicants wish to preserve the existing character of the neighborhood by adding a small addition to the rear of the home that would contain a more modern bathroom space and sufficient closets.

2. The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public may not be the basis for granting a variance.

*Applicant Response:* A small creek runs through the center of the lot making expansion to the front of the home impracticable.

3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that make justify the granting of a variance shall not be regarded as a self-created hardship.

*Applicant Response:* Testimony to be provided at the hearing.

4. The requested variance is consistent with the spirit, purpose and intent of the ordinance such that public safety is secured and substantial justice is achieved.

*Applicant Response:* The proposed variance is compatible with adjacent uses in terms of location, scale, site design. The neighborhood consists of older homes built in the mid to late 1940's and newer homes that have built on lots where older homes were demolished.

- Scale. The scale of the proposed addition for which the variance is sought will not increase the height of the existing structure. The proposed addition would only extend one side of the home approximately 12 feet, and would do so along the back side of an existing screen porch. The total addition would be approximately 144 square feet.
- Esthetics. The proposed addition will not impact the esthetics of the neighborhood. The only change will be extension of the existing roofline to the side by approximately 12 feet, and that extension will be adjacent to an existing screen porch wall. The only adjacent homeowner who will be able to see the addition is the homeowner immediately adjacent to the back lot line. That neighbor lives in a large recently built three story home that replaced a smaller tear down. That homeowner has no objection to the proposed addition. The adjacent homeowner to the west will be unable to see the addition because their home is placed to the front of the same stream the runs through our lots. The neighbors to the front side of the house will be unable to see the addition.

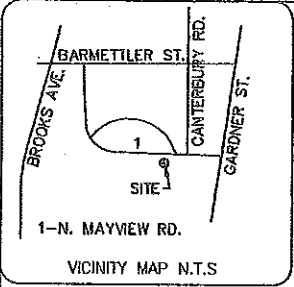
- Other variances on nearby lots. The homeowners to the immediate east obtained a variance in the past to add updated features to their home. Our request is to do the same thing on a much smaller scale.
- Use. The purpose of the proposed addition is to modernize the bathroom facilities, add closet space, and improve the laundry area.

**Setback Standards:** The property is zoned Residential R-6. Under Section 2.2.1.B(B5) the minimum rear setback is 20'.



Existing

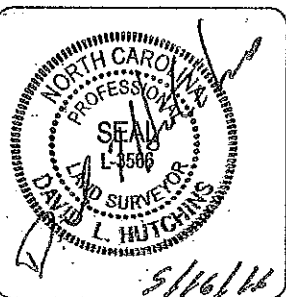
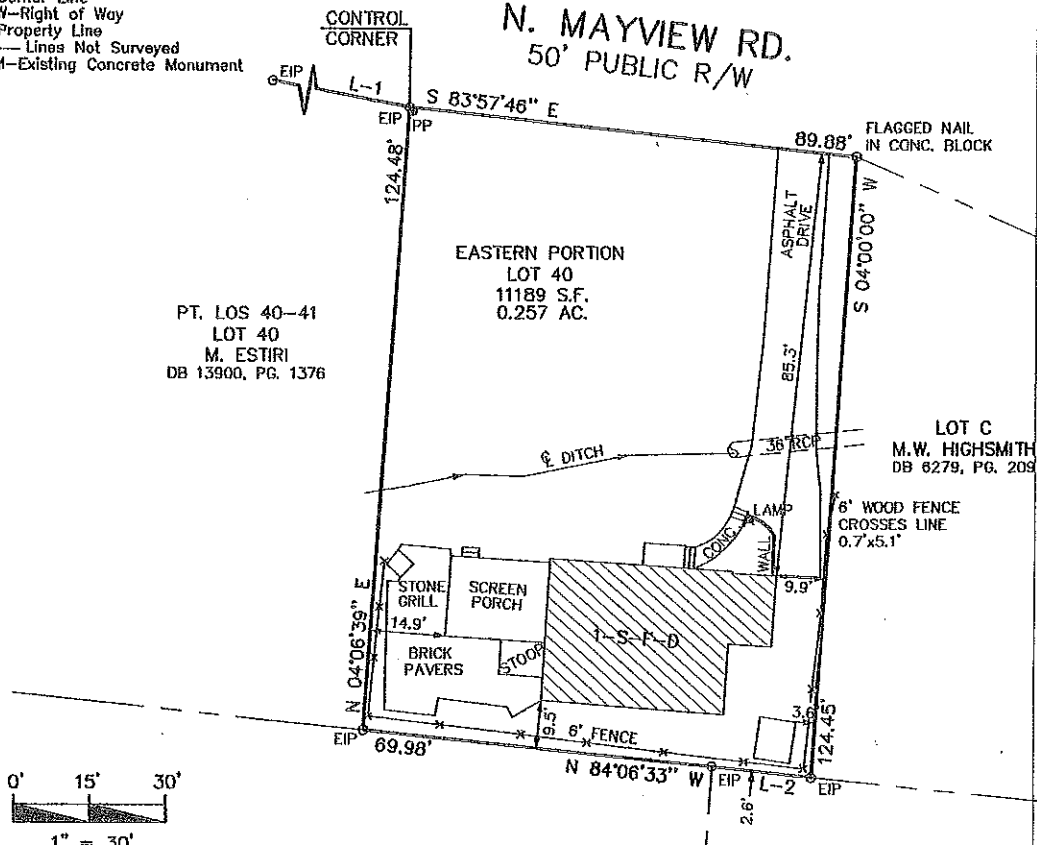
NORTH DB 14576, PAGE 2283



NUMBER	BEARING	DIST.
L-1	N 79°15'20" W	90.38'
L-2	N 83°34'30" W	20.14'

LEGEND

- IPS—Iron Pin Set
- EIP—Existing Iron Pin
- PKS—Parker-Kalon Nail Set
- EPK—Existing Parker-Kalon Nail
- PP—Power Pole
- OHP—Over Head Power
- CL—Center Line
- R/W—Right of Way
- PL—Property Line
- Lines Not Surveyed
- ECM—Existing Concrete Monument



PIN#: 0794758200 TOWNSHIP: RALEIGH ZONE: R-6

EASTERN PORTION OF LOT 40, JORDAN PROPERTY  
AS RECORDED IN DB 14576, PAGE 2283 W.C.R.  
ALSO SEE BOM 1938, PG. 86 W.C.R.

I, D. L. Hutchins certify that this plot was drawn under my supervision from (an actual survey made under my supervision) (deed description recorded in Book 14576, page 2283, etc.) (other), that the ratio of precision as calculated by latitude and departures is 1/10,000, that the boundaries not surveyed are shown as broken lines plotted from information found in (SEE REFERENCE).  
Witness my original signature, registration number and seal this 16th day of May, A.D. 2016

PROPERTY OF  
STEPHEN W. PETERSEN  
MICHELLE L. FRAZIER

2730 N. MAYVIEW RD. WAKE COUNTY RALEIGH, N.C.

SCALE: 1" = 30'

DATE: 5-16-16

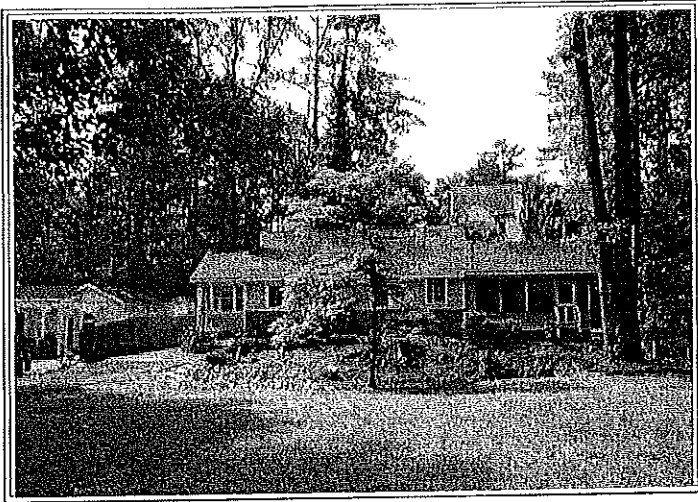
BOOK: M556/39

**B.L. SCOTT**  
LAND SURVEYING  
PROFESSIONAL LAND SURVEYORS  
210 BOX 18405 - RALEIGH, NORTH CAROLINA 27618  
TEL: 919/882-0444 FAX: 919/882-1722

## BOOK: M558/39

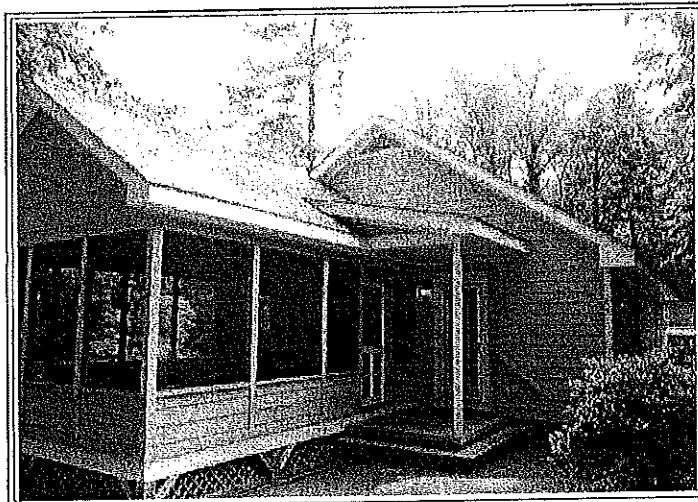
SUBJECT PROPERTY PHOTO ADDENDUM

Borrower: Stephen Peterson & Michelle Frazier		File No.: MG0516M02
Property Address: 2703 N. Mayview Road		Case No.: CH1605EM036499
City: Raleigh	State: NC	Zip: 27607
Lender: Corporate Investors Mortgage Group, Inc		



FRONT VIEW OF  
SUBJECT PROPERTY

Appraised Date: May 9, 2016  
Appraised Value: \$ 345,000



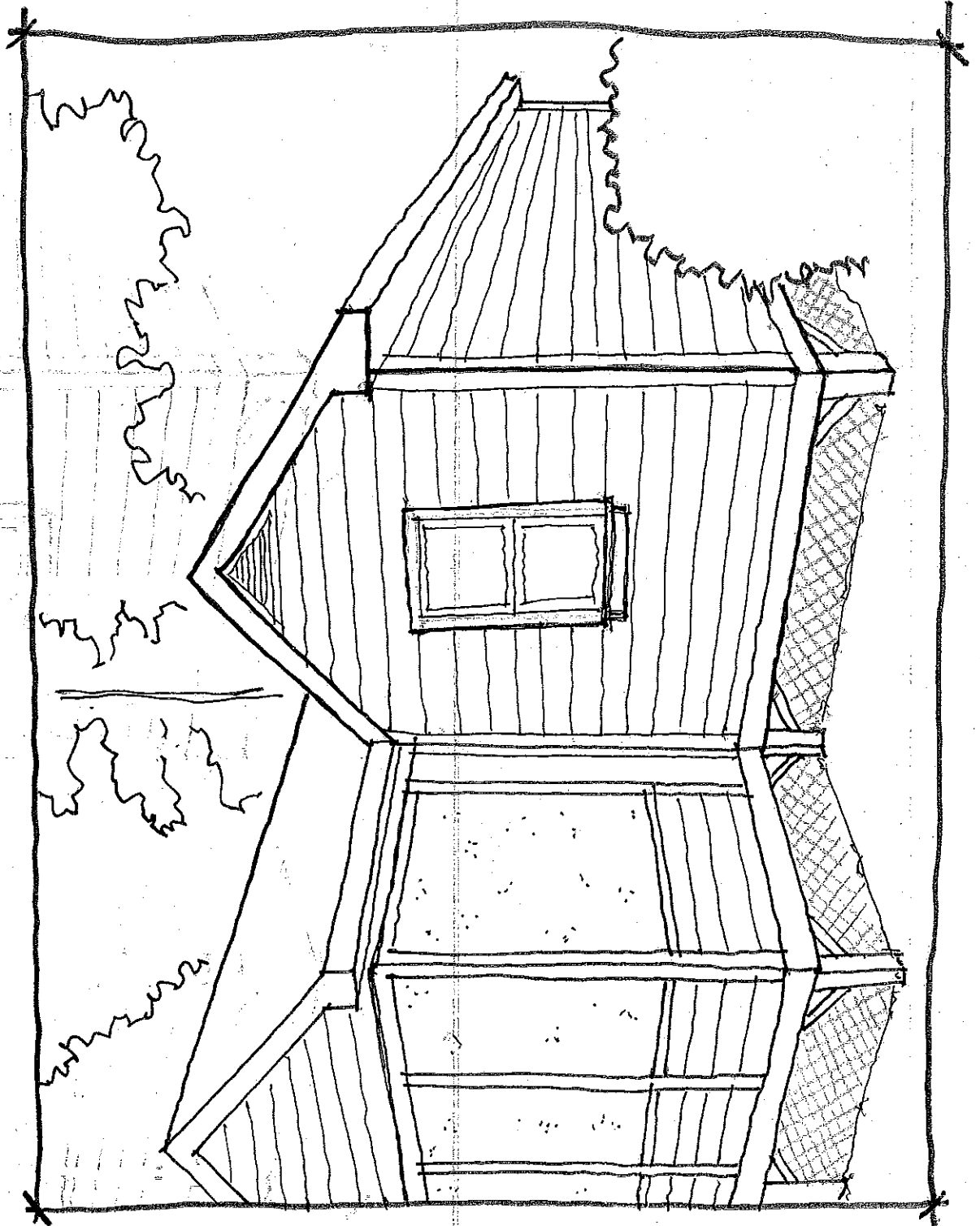
REAR VIEW OF  
SUBJECT PROPERTY

\* The addition will follow the existing rear roof line and replace the stoop area.



STREET SCENE

\* The addition will have a shed roof rather than a gable roof



[Home](#)

## Wake County Real Estate Data

### Account Summary

[iMaps](#)[Tax Bills](#)Real Estate ID **0042498**PIN # **0794758200**[Account Search](#)Location Address  
**2703 N MAYVIEW RD**Property Description  
**LO40 EASTERN HALF JORDAN PROPERTY BM1938-00086**[Pin/Parcel History](#) [Search Results](#) [New Search](#)[NORTH CAROLINA](#) [Account](#) | [Buildings](#) | [Land](#) | [Deeds](#) | [Notes](#) | [Sales](#) | [Photos](#) | [Tax Bill](#) | [Map](#)

Property Owner <b>PETERSEN, STEPHEN W</b> <b>FRAZIER, MICHELLE L</b> (Use the Deeds link to view any additional owners)		Owner's Mailing Address <b>2703 N MAYVIEW RD</b> <b>RALEIGH NC 27607-4140</b>	Property Location Address <b>2703 N MAYVIEW RD</b> <b>RALEIGH NC 27607-4140</b>
<b>Administrative Data</b> Old Map # <b>D046-D0207-004A</b> Map/Scale <b>0794 12</b> VCS <b>01RA292</b> City <b>RALEIGH</b> Fire District Township <b>RALEIGH</b> Land Class <b>R-&lt;10-HS</b> ETJ <b>RA</b> Spec Dist(s) Zoning <b>R-6</b> History ID 1 History ID 2 Acreage <b>.26</b> Permit Date Permit #		<b>Transfer Information</b> Deed Date <b>5/27/2016</b> Book & Page <b>16402 0077</b> Revenue Stamps <b>676.00</b> Pkg Sale Date <b>5/27/2016</b> Pkg Sale Price <b>\$338,000</b> Land Sale Date Land Sale Price  <b>Improvement Summary</b> Total Units <b>1</b> Recycle Units <b>1</b> Apt/SC Sqft Heated Area <b>1,148</b>	<b>Assessed Value</b> Land Value Assessed <b>\$220,000</b> Bldg. Value Assessed <b>\$117,419</b>  Tax Relief  Land Use Value Use Value Deferment Historic Deferment Total Deferred Value  Use/Hist/Tax Relief Assessed Total Value Assessed* <b>\$337,419</b>

\*Wake County assessed building and land values reflect the market value as of January 1, 2016, which is the date of the last county-wide revaluation. Any inflation, deflation or other economic changes occurring after this date does not affect the assessed value of the property and cannot be lawfully considered when reviewing the value for adjustment.

The January 1, 2016 values will remain in effect until the next county-wide revaluation. Until that time, any real estate accounts created or new construction built is assessed according to the 2016 Schedule of Values.

For questions regarding the information displayed on this site, please contact the Revenue Department at [RevHelp@wakegov.com](mailto:RevHelp@wakegov.com) or call 919-856-5400.

Real Estate ID 0042498

PIN # 0794758200

Account  
SearchLocation Address  
2703 N MAYVIEW RDProperty Description  
LO40 EASTERN HALF JORDAN PROPERTY BM1938-00086[Pin/Parcel History](#) [Search Results](#) [New Search](#)[Account](#) | [Buildings](#) | [Land](#) | [Deeds](#) | [Notes](#) | [Sales](#) | [Photos](#) | [Tax Bill](#) | [Map](#)

Building Location Address		Building Description		Card 01 Of 01	
2703 N MAYVIEW RD		01RA292			
Bldg Type	01 Single Family	Year Blt	1947	Eff Year	1970
Units	1	Addns		Remod	
Heated Area	1,148	Int. Adjust.			
Story Height	1 Story				
Style	Conventional	Other	One Fireplace		
Basement	Crawl Space	Features			
Exterior	Frame				
Const Type					
Heating	Central				
Air Cond	Central				
Plumbing	1 BATH				
		Base Bldg Value	\$114,043		
		Grade	C+10	110%	
		Cond %	A	78%	
		Market Adj.	F	120%	
		Market Adj.			
		Accrued %		94%	
		Incomplete Code			
		Card 01 Value	\$117,419		
		All Other Cards			
		Land Value Assessed	\$220,000		
		Total Value Assessed	\$337,419		

Main and Addition Summary					Other Improvements				
Story	Type	Code	Area	Inc	Units	DesItem	Code	Year	%ADJ Inc Value
M	1	FR/CS	1148		6X12	SF SHED	REF	1950	20 0
A		STP	=	32	20X25	SF PATIO	REF	1960	20 0
B		SP	S	320	12X20	SF PATIO	REF	1970	20 0
C		OP	R	48	9X10	SF SHED	REF	1985	100 0
D		PATIO	\$	276					
E									
F									
G									
H									

Building Sketch		Photograph	
		2/14/2013 	
		0042498 02/14/2013	